

MONTANA SENATE
2007 LEGISLATURE

ROLL CALL

FINANCE AND CLAIMS

DATE 4-12-07 (2)

NAMES	PRESENT	ABSENT	EXCUSED
SEN. KEITH BALES (R)	✓		
SEN. GREGORY BARKUS (R)	✓		
SEN. JOHN BRUEGGEMAN (R)			✓
SEN. JOHN COBB (R)	✓		
SEN. MIKE COONEY (D)	✓		
SEN. STEVE GALLUS (D)	✓		
SEN. KEN HANSEN (D)	✓		
SEN. RICK LAIBLE (R)	✓		
SEN. LANE LARSON (D)	✓		
SEN. DAVE LEWIS (R)	✓		
SEN. GREG LIND(D)	✓		
SEN. COREY STAPLETON (R)	✓		
SEN. BILL TASH (R)	✓		
SEN. MITCH TROPILA (D)	✓		
SEN. DAVE WANZENRIED (D)	✓		
SEN. DAN WEINBERG (D)	✓		
SEN. CAROL WILLIAMS (D)	✓		
SEN. BOB HAWKS (D), VICE CHAIRMAN	✓		
SEN. TRUDI SCHMIDT (D), CHAIRWOMAN	✓		
TARYN PURDY, LSD	✓		
PRUDENCE GILDROY, COMMITTEE SECRETARY	✓		



SENATE STANDING COMMITTEE REPORT

April 13, 2007
Page 1 of 7

Mr. President:

We, your committee on **Finance and Claims** recommend that **House Bill 116** (third reading copy -- blue) be concurred in as amended.

Signed:

Trudi Schmidt
Senator Trudi Schmidt, Chair

To be carried by Senator David Wanzenried

And, that such amendments read:

1. Page 1, line 17.
Following: "19-5-404,"
Insert: "75-1-1101,"
Strike: "82-11-161,"

2. Page 3, line 19.
Strike: "1.97%"
Insert: "1.45%"

3. Page 3, line 21.
Strike: "1.96%"
Insert: "1.45%"

4. Page 3, line 23.
Strike: "1.96%"
Insert: "2.99%"

5. Page 3, line 28.
Strike: "2.43%"
Insert: "2.16%"

6. Page 3, line 30.
Strike: "2.30%"
Insert: "2.02%"

Committee Vote:

Yes 18, No 0

Fiscal Note Required

KH

781052SC.ssc

7. Page 4, line 2.
Strike: "2.40%"
Insert: "2.95%"

8. Page 8, line 8.
Strike: "AND"

9. Page 8, line 12.
Strike: "\$440,000"
Insert: "\$300,000"

10. Page 8, line 13.
Strike: "."
Insert: ";

11. Page 8.
Following: line 17
Insert: "(iii) \$500,000 to the department of fish, wildlife, and parks for the purposes of 87-1-283. The future fisheries review panel shall approve and fund qualified mineral reclamation projects before other types of qualified projects.
(iv) \$175,000 to be deposited in the environmental contingency account established in 75-1-1101."

12. Page 8.
Strike: line 20 through line 21 in their entirety
Renumber: subsequent subsections

13. Page 10, line 5.
Strike: "and"

14. Page 10, line 8.
Strike: "\$440,000"
Insert: "\$300,000"

15. Page 10, line 9.
Strike: "."
Insert: ";

16. Page 10.
Following: line 9
Insert: "(iii) \$500,000 to the department of fish, wildlife, and parks for the purposes of 87-1-283. The future fisheries

review panel shall approve and fund qualified mineral reclamation projects before other types of qualified projects.

(iv) \$175,000 to be deposited in the environmental contingency account established in 75-1-1101."

17. Page 10.

Strike: line 12 through line 13 in their entirety

Renumber: subsequent subsections

18. Page 13, line 21.

Following: "82-11-161;"

Insert: "82-11-161;"

19. Page 14.

Following: line 15

Insert: "Section 9. Section 75-1-1101, MCA, is amended to read:

"75-1-1101. Environmental contingency account objectives.

(1) There is an environmental contingency account within the state special revenue fund established in 17-2-102. The environmental contingency account is controlled by the governor.

(2) At the beginning of each biennium, fiscal year, \$175,000 must be allocated to the environmental contingency account from the interest income of the resource indemnity trust fund ~~with the following exceptions:~~

~~(a) if at the beginning of any biennium the unobligated cash balance in the environmental contingency account equals or exceeds \$750,000, allocation may not be made, and~~

~~(b) if at the beginning of any biennium the unobligated cash balance in the environmental contingency account is less than \$750,000, then an amount less than or equal to the difference between the unobligated cash balance and \$750,000, but not to exceed \$175,000, must be allocated to the environmental contingency account from the interest income of the resource indemnity trust fund.~~

(3) Funds are statutorily appropriated, as provided in 17-7-502, from the environmental contingency account upon the authorization of the governor to meet unanticipated public needs consistent with the following objectives:

(a) to support renewable resource development projects in communities that face an emergency or imminent need for the services or to prevent the physical failure of a project;

(b) to address imminent natural resource restoration and remediation needs that are anticipated to have significant

adverse impacts to Montana's natural environment if not addressed in a timely manner;

~~(b)~~(c) to preserve vegetation, water, soil, fish, wildlife, or other renewable resources from an imminent physical threat or during an emergency, not including:

(i) natural disasters adequately covered by other funding sources; or

(ii) fire suppression;

~~(c)~~(d) to respond to an emergency or imminent threat to persons, property, or the environment caused by mineral development;

~~(d)~~(e) to respond to an emergency or imminent threat to persons, property, or the environment caused by a hazardous material; and

~~(e)~~(f) to fund the environmental quality protection fund provided for in 75-10-704 or to take other necessary actions, including the construction of facilities, to respond to actual or potential threats to persons, property, or the environment caused by hazardous wastes or other hazardous materials.

(4) Interest earned from funds in the environmental contingency account ~~accrues to the general fund~~ remains in the account.

(5) The governor shall submit, as a part of the information required by 17-7-111, a complete financial report on the environmental contingency account, including a description of all expenditures made since the preceding report."

Renumber: subsequent sections

20. Page 15, line 23 through line 24.

Strike: "Except" on line 23 through "unused" on line 24

Insert: "Unused"

21. Page 15, line 26 through page 16, line 5.

Strike: subsection (6) in its entirety

22. Page 16, line 11.

Strike: "Except as provided in subsection (9), the"

Insert: "The"

23. Page 18, line 16 through line 23.

Strike: subsection (9) in its entirety

24. Page 18, line 29.

Strike: "(9) through (11)"

Insert: "(9) and (10)"

25. Page 19, line 19.

Strike: "subsection (7) "

Insert: "subsections (6) and (7) "

26. Page 19, line 22.

Strike: "Reimbursement"

Insert: "Except as provided in subsection (6), reimbursement"

27. Page 20.

Following: line 6

Insert: "(c) A state agency that is liable for remedial action costs incurred has a claim against the orphan share fund and must be reimbursed as provided in subsection (3). The agency may submit a claim before or after remedial action is complete. Reimbursement may not be made for attorney fees, legal costs, or operation and maintenance costs. The agency may be reimbursed only after:

(i) its liability has been determined pursuant to 75-10-742 through 75-10-751 or by a court of competent jurisdiction;

(ii) it has received a notice letter pursuant to 75-10-711; and

(iii) the department has approve the costs.

(d) If the department determines that persons given notice pursuant to 75-10-711 do not have the financial resources to conduct necessary remedial actions at a facility, the department may use the orphan share fund to conduct the necessary remedial actions."

28. Page 20, lines 16 through 19

Strike: subsection (9) in its entirety

Renumber: subsequent subsections

29. Page 20, line 26.

Strike: "(10) (a) "

Insert: "(9) (a) "

30. Page 21, line 4.

Strike: "(10) (a) "

Insert: "(9) (a) "

31. Page 21, line 8.

Strike: "(10) (a) "

Insert: "(9) (a) "

32. Page 21, line 16.

Strike: "(10) (g) "

Insert: "(9) (g) "

33. Page 21, line 20.

Strike: "(10) (e) "
Insert: "(9) (e) "

34. Page 21, line 22.
Strike: "(10) "
Insert: "(9) "

35. Page 21, line 27.
Strike: "(10) (d) "
Insert: "(9) (d) "

36. Page 22, line 1.
Strike: "(11) (b) "
Insert: "(10) (b) "

37. Page 22, line 6.
Strike: "(11) (b) (i) "
Insert: "(10) (b) (i) "

38. Page 22, line 9.
Strike: "(11) (b) (i) "
Insert: "(10) (b) (i) "

39. Page 22.
Following: line 12
Insert: "(11) For the biennium beginning July 1, 2007, the
department shall transfer from the orphan share fund:
(a) \$600,000 to the hazardous waste/CERCLA account provided
for in 75-10-621 to provide for a positive account balance;
(b) \$50,000 to the oil and gas production damage mitigation
account pursuant to the conditions of 82-11-161 to provide for a
positive account balance;
(c) \$2 million to the environmental quality protection fund
established in 75-10-704 to be used by the department to expedite
the cleanup of the burlington northern Santa Fe Livingston site;
(d) \$200,000 to the natural resources operations state
special revenue account established in [section 27] to provide
for a positive account balance; and
(e) \$800,000 to the natural resources projects state special
revenue account established in [section 28] to provide for a
positive account balance.

40. Page 22, line 22 through page 23, line 16.
Strike: section 13 in its entirety
Renumber: subsequent sections

41. Page 36.

Following: line 22

Insert: "NEW SECTION. **Section 29. Transfer of funds.** (1) The department of administration shall transfer \$1 million in fiscal year 2008 and \$1 million in fiscal year 2009 from the general fund to the environmental contingency account provided for in 75-1-1101.

(2) At the beginning of fiscal year 2008, the department of natural resources and conservation shall transfer the ending fund balance in the renewable resource grant and loan program state special revenue account established in 85-1-604 and the reclamation and development grants state special revenue account established in 90-2-1104 to the natural resources operations state special revenue account created in [section 27]."

- END -



SENATE STANDING COMMITTEE REPORT

April 13, 2007

Page 1 of 1

Mr. President:

We, your committee on **Finance and Claims** recommend that **House Bill 6** (third reading copy - blue) be concurred in as amended.

Signed:

Trudi Schmidt
Senator Trudi Schmidt, Chair

To be carried by Senator Lane Larson

And, that such amendments read:

1. Title, line 9 through line 10.

Strike: "PROVIDING" on 9 through "ACCOUNT:" on line 10

2. Page 1, line 27.

Strike: "\$5.5"

Insert: "\$5"

3. Page 8, line 27 through line 29.

Strike: section 6 in its entirety

Renumber: subsequent sections

4. Page 10, line 7 through line 9.

Following: "116"

Strike: remainder of line 7 through "MILLION" on line 9

5. Page 10, line 11 through line 13.

Strike: section 12 in its entirety

Renumber: subsequent section

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required *KA*

781245SC.ssc



SENATE STANDING COMMITTEE REPORT

April 13, 2007

Page 1 of 1

Mr. President:

We, your committee on **Finance and Claims** recommend that **House Bill 7** (third reading copy - blue) be concurred in as amended.

Signed: 
Senator Trudi Schmidt, Chair

To be carried by Senator Dave Lewis

And, that such amendments read:

1. Page 6, line 25.


Following: "\$289,922"

Insert: "and [section 6 of this act] is void"

- END -

Committee Vote:

Yes 17, No 1

Fiscal Note Required — 

781246SC.ssc



SENATE STANDING COMMITTEE REPORT

April 13, 2007

Page 1 of 1

Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 568** (first reading copy -- white) **do pass as amended.**

Signed:

Trudi Schmidt
Senator Trudi Schmidt, Chair

And, that such amendments read:

1. Page 1, line 14.

Strike: "\$5"

Insert: "\$2"

2. Page 1, line 17.

Insert: "(3) The amount of \$10 million is transferred from the school facility improvement account in the state special revenue fund provided for in [section 1 of House Bill No. 417] to the office of public instruction to be deposited in the school flexibility account in the state special revenue fund provided for in 20-9-542."

3. Page 1, line 18.

Following: "voidness."

Insert: "(1)"

4. Page 1, line 21.

Insert: "(2) If House Bill No. 809 is not passed and approved in a form that appropriates at least \$10 million to the office of public instruction from the school flexibility account in the state special revenue fund, then [section 1(3)] is void."

- END -

Committee Vote:

Yes 16, No 3

Fiscal Note Required — *KY*

781058SC.ssc



SENATE STANDING COMMITTEE REPORT

April 13, 2007

Page 1 of 2

Mr. President:

We, your committee on **Finance and Claims** recommend that **House Bill 160** (third reading copy -- blue) be concurred in as amended.

Signed: 
Senator Trudi Schmidt, Chair

To be carried by Senator Rick Laible

And, that such amendments read:

1. Page 1, line 12.

Strike: "\$822,774.07"

Insert: "\$446,987"

2. Page 1, line 13.

Following: "money"

Strike: "plus interest"

3. Page 1, line 19.

Following: "money"

Strike: "plus interest"

4. Page 1, line 22.

Strike: "\$5.94"

Insert: "\$5.40"

5. Page 1, line 23.

Strike: "\$14,500.19"

Insert: "\$14,242.87"

6. Page 1, line 24.

Strike: "\$761.97"

Insert: "\$737.95"

7. Page 1, line 25.

Strike: "\$6,060.68"

Committee Vote:

Yes 18, No 1

Fiscal Note Required — 

781256SC.ssc

Insert: "\$5,881.98"

8. Page 1.

Following: line 25

Insert: "(3) The following money is transferred from the general fund to the identified fund for the purpose of repaying the beneficiary the amount of distributable money plus interest that was inappropriately diverted to pay for administrative costs on the Morrill Act trust lands:"

Renumber: subsequent subsections

9. Page 1, line 26.

Following: "Blind"

Insert: "State Special Revenue Fund"

Strike: "\$10.40"

Insert: "\$9.26"

10. Page 1, line 27.

Following: "School)"

Insert: "State Special Revenue Fund"

Strike: "\$19.24"

Insert: "\$17.06"

11. Page 1, line 28.

Strike: "COMMON SCHOOLS"

Following: "ACCOUNT"

Insert: "State Special Revenue Fund"

12. Page 1, line 29.

Strike: "CAPITOL BUILDINGS"

Insert: "Capital Land Grant Projects Fund (Capitol Buildings)"

Strike: "\$29,149.38"

Insert: "\$25,848.25"

13. Page 2, line 8.

Strike: "APPROPRIATED"

Insert: "transferred"

Strike: "COMMON SCHOOLS"

14. Page 2, line 9.

Following: "ACCOUNT"

Insert: "state special revenue fund"

Strike: "COMMON SCHOOLS"

Insert: "guarantee account"

- END -



SENATE STANDING COMMITTEE REPORT

April 13, 2007

Page 1 of 1

Mr. President:

We, your committee on **Finance and Claims** recommend that **House Bill 574** (third reading copy -- blue) be concurred in.


Signed: 
Senator Trudi Schmidt, Chair

To be carried by Senator Dave Lewis

- END -

Committee Vote:

Yes 11, No 8

Fiscal Note Required — 

781244SC.ssc

MONTANA STATE SENATE
2007 LEGISLATURE

ROLL CALL VOTE

FINANCE AND CLAIMS

DATE 4-12-07 BILL NO. HB116 NUMBER 13-6

MOTION HB011603, a b s

NAME	AYE	NO	
SEN. KEITH BALES (R)		✓	
SEN. GREGORY BARKUS (R)		✓	
SEN. JOHN BRUEGGEMAN (R)		✓	P
SEN. JOHN COBB (R)	✓		
SEN. MIKE COONEY (D)	✓		
SEN. STEVE GALLUS (D)	✓		
SEN. KEN HANSEN (D)	✓		
SEN. RICK LAIBLE (R)		✓	
SEN. LANE LARSON (D)	✓		
SEN. DAVE LEWIS (R)	✓		
SEN. GREG LIND (D)	✓		
SEN. COREY STAPLETON (R)			
SEN. BILL TASH (R)		✓	P
SEN. MITCH TROPILA (D)		✓	
SEN. DAVID WANZENRIED (D)	✓		
SEN. DAN WEINBERG (D)	✓		
SEN. CAROL WILLIAMS (D)	✓		P
SEN. BOB HAWKS (D), VICE CHAIRMAN	✓		
SEN. TRUDI SCHMIDT (D), CHAIRWOMAN	✓		
TARYN PURDY, LSD			
PRUDENCE GILDROY, COMMITTEE SECRETARY			

MONTANA STATE SENATE
2007 LEGISLATURE

ROLL CALL VOTE

FINANCE AND CLAIMS

DATE 4-12-07 BILL NO. SB 568 NUMBER 5-11 fails
MOTION HR30 56801.atp

NAME	AYE	NO
SEN. KEITH BALES (R)		✓
SEN. GREGORY BARKUS (R)		✓
SEN. JOHN BRUEGGEMAN (R)		✓
SEN. JOHN COBB (R)		✓
SEN. MIKE COONEY (D)	✓	
SEN. STEVE GALLUS (D)	✓	
SEN. KEN HANSEN (D)	✓	
SEN. RICK LAIBLE (R)		✓
SEN. LANE LARSON (D)	✓	
SEN. DAVE LEWIS (R)	✓	
SEN. GREG LIND (D)		✓
SEN. COREY STAPLETON (R)		✓
SEN. BILL TASH (R)		✓
SEN. MITCH TROPILA (D)		✓
SEN. DAVID WANZENRIED (D)		✓
SEN. DAN WEINBERG (D)	✓	
SEN. CAROL WILLIAMS (D)		✓
SEN. BOB HAWKS (D), VICE CHAIRMAN	✓	
SEN. TRUDI SCHMIDT (D), CHAIRWOMAN	✓	
TARYN PURDY, LSD		
PRUDENCE GILDROY, COMMITTEE SECRETARY		

MONTANA STATE SENATE
2007 LEGISLATURE

ROLL CALL VOTE

FINANCE AND CLAIMS

DATE 4-12-07 BILL NO. HB 160 NUMBER 14-5

MOTION HB 016001.ahg

NAME	AYE	NO
SEN. KEITH BALES (R)	✓	
SEN. GREGORY BARKUS (R)		✓
SEN. JOHN BRUEGGEMAN (R)		✓
SEN. JOHN COBB (R)	✓	
SEN. MIKE COONEY (D)	✓	
SEN. STEVE GALLUS (D)	✓	
SEN. KEN HANSEN (D)		✓
SEN. RICK LAIBLE (R)		✓
SEN. LANE LARSON (D)	✓	
SEN. DAVE LEWIS (R)	✓	
SEN. GREG LIND (D)	✓	
SEN. COREY STAPLETON (R)		✓
SEN. BILL TASH (R)	✓	
SEN. MITCH TROPILA (D)	✓	
SEN. DAVID WANZENRIED (D)	✓	
SEN. DAN WEINBERG (D)	✓	
SEN. CAROL WILLIAMS (D)	✓	
SEN. BOB HAWKS (D), VICE CHAIRMAN	✓	
SEN. TRUDI SCHMIDT (D), CHAIRWOMAN	✓	
TARYN PURDY, LSD		
PRUDENCE GILDROY, COMMITTEE SECRETARY		

MONTANA STATE SENATE
2007 LEGISLATURE

ROLL CALL VOTE

FINANCE AND CLAIMS

DATE 4-12-07 BILL NO. HB 574 NUMBER 11-8
MOTION be concurred in

NAME	AYE	NO
SEN. KEITH BALES (R)		✓
SEN. GREGORY BARKUS (R)		✓
SEN. JOHN BRUEGGEMAN (R)		✓
SEN. JOHN COBB (R)	✓	
SEN. MIKE COONEY (D)	✓	
SEN. STEVE GALLUS (D)	✓	
SEN. KEN HANSEN (D)		✓
SEN. RICK LAIBLE (R)	✓	
SEN. LANE LARSON (D)	✓	
SEN. DAVE LEWIS (R)	✓	
SEN. GREG LIND (D)	✓	
SEN. COREY STAPLETON (R)		✓
SEN. BILL TASH (R)		✓
SEN. MITCH TROPILA (D)		✓
SEN. DAVID WANZENRIED (D)	✓	
SEN. DAN WEINBERG (D)	✓	
SEN. CAROL WILLIAMS (D)	✓	
SEN. BOB HAWKS (D), VICE CHAIRMAN		✓
SEN. TRUDI SCHMIDT (D), CHAIRWOMAN	✓	
TARYN PURDY, LSD		
PRUDENCE GILDROY, COMMITTEE SECRETARY		

MONTANA STATE SENATE
2007 LEGISLATURE

ROLL CALL VOTE

FINANCE AND CLAIMS

DATE 4-12-07 BILL NO. HB 480 NUMBER 4-11 fails
MOTION Committee as amended

NAME	AYE	NO
SEN. KEITH BALES (R)	✓	
SEN. GREGORY BARKUS (R)	✓	
SEN. JOHN BRUEGGEMAN (R)	✓	
SEN. JOHN COBB (R)		✓
SEN. MIKE COONEY (D)		✓
SEN. STEVE GALLUS (D)		✓
SEN. KEN HANSEN (D)		✓
SEN. RICK LAIBLE (R)	✓	
SEN. LANE LARSON (D)		✓
SEN. DAVE LEWIS (R)	✓	
SEN. GREG LIND (D)		✓
SEN. COREY STAPLETON (R)	✓	
SEN. BILL TASH (R)	✓	
SEN. MITCH TROPILA (D)		✓
SEN. DAVID WANZENRIED (D)		✓
SEN. DAN WEINBERG (D)		✓
SEN. CAROL WILLIAMS (D)	✓	
SEN. BOB HAWKS (D), VICE CHAIRMAN		✓
SEN. TRUDI SCHMIDT (D), CHAIRWOMAN		✓
TARYN PURDY, LSD		
PRUDENCE GILDROY, COMMITTEE SECRETARY		

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f), a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator LAIBUE
to vote my proxy on any issue before the Senate Finance
_____, Committee

held on 4/12/07, 2007.

HB-116 Amend 03. ABS NO
HB-116 YES as Amended
SB 56801 Amend. NO
SB 56802 Amend. YES
SB-568 AS Amended
SB-568 REMOVE 2.0 mil YES
HB-160 Amend 16001-NO


SENATOR EUGENE BURGETT
STATE OF MONTANA

HB-160 YES

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f), a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator LAIBUE
to vote my proxy on any issue before the Senate FINANCE
_____, Committee

held on 4/12/07, 2007.

HB-116 Amend 03. ABS NO
HB-116 YES as Amended
SB 56801-Amend NO


SENATOR STEPHEN HACKETT
STATE OF MONTANA

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f) , a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator DALE WENZELBRED

to vote my proxy on any issue before the Senate FINANCIAL CLAIMS

_____ Committee
held on 4-12-07 _____, 2007.

M. Tropea

SENATOR
STATE OF MONTANA

HB-574 - NO
HB-480 - yes